

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO

SENTENCING MINUTE SHEET

CR No.	12-1248-MV	USA vs.	Ben, Jr.						
Date:	July 18, 2013	Name of Deft:	Herbert Ben, Jr.						
Before the Honorable		Martha Vázquez							
Time In/Out:	11:00 a.m. / 11:35 a.m.			Total Time in Court (for JS10):	35 minutes				
Clerk:	Linda Romero			Court Reporter:	Susan Sperry				
AUSA:	Jacob Wishard			Defendant's Counsel:	Michael Alarid, Jr.				
Sentencing in:	Santa Fe, New Mexico			Interpreter:	None				
Probation Officer:	Loyola Garcia			Sworn?	<input type="checkbox"/>	Yes	No		
Convicted on:	<input checked="" type="checkbox"/>	Plea		Verdict	As to:	<input checked="" type="checkbox"/>	Information	Indictment	
If Plea:	<input checked="" type="checkbox"/>	Accepted		Not Accepted	Adjudged/Found Guilty on Counts:				
If Plea Agreement:	<input checked="" type="checkbox"/>	Accepted		Not Accepted	No Plea Agreement	Comments:			
Date of Plea/Verdict:	1/3/13			PSR:	<input checked="" type="checkbox"/>	Not Disputed	Disputed		
PSR:	<input checked="" type="checkbox"/>	Court Adopts PSR Findings			Evidentiary Hearing:	<input checked="" type="checkbox"/>	Not Needed	Needed	
Exceptions to PSR:									
SENTENCE IMPOSED			Imprisonment (BOP): 248 days or time served, whichever is less						
Supervised Release:	1 year			Probation:			500-Hour Drug Program		
	Court recommends ICE begin removal proceedings immediately or during service of sentence						ICE not applicable		
SPECIAL CONDITIONS OF SUPERVISION									
	Comply with ICE laws and regulations			Community service for _____ months _____ days					
	Substance abuse treatment program			Reside residential reentry center _____ months _____ days					
	Mental health treatment program			Register as sex offender					
<input checked="" type="checkbox"/>	No alcohol/intoxicants			Participate in sex offender treatment program					
<input checked="" type="checkbox"/>	Submit to search of person/property for alcohol			Possess no sexual material					
<input checked="" type="checkbox"/>	No contact with victim or victim's family			No computer with access to online services					
	No entering, or loitering near, victim's residence			No contact with children under 18 years					
	Provide financial information			No volunteering where children supervised					
	Grant limited waiver of confidentiality			Restricted from occupation with access to children					
				No loitering within 100 feet of school yards					
<input checked="" type="checkbox"/>	OTHER: Defendant shall attend AA meetings twice a month for the first three months. A psycho-sexual assessment and risk assessment shall be performed with copies of the report going to counsel and the Court. Further conditions of supervised release may be imposed after the parties and the Court have reviewed the assessment and report.								
Fine:	\$ 0				Restitution:	\$ 0			
SPA:	\$ 25				Payment Schedule:	<input checked="" type="checkbox"/>	Due Imm.	Waived	
OTHER:									
	Advised of Right to Appeal		<input checked="" type="checkbox"/>	Waived Appeal Rights per Plea Agreement					
	Held in Custody			Voluntary Surrender					
	Recommended place(s) of incarceration:								
	Dismissed Counts:								
OTHER COMMENTS		Court addresses defendant. Defense counsel addresses Court. Government counsel addresses Court. Defendant addresses Court.							